

REMARKS

Claim Objections

The Examiner has objected to claims 1, 4, 19, 21, and 25 in the final rejection. The cancellation of claims 1, 4, 21, and 25 from pendency in this application renders the Examiner's objections to these claims moot. Accordingly, the Applicant respectfully requests withdrawal of the objections to claims 1, 4, 21, and 25.

With respect to claim 19, the Applicant respectfully requests consideration of the following explanation in support of the traversal of the objections to claim 19. With respect to the first objection to claim 19 involving the term "ticket data" in claim 17 and claim 19, these are intended to refer to the same thing. Claim 17 recites that the "network enabled device" is "arranged to send ticket data to the network". Claim 18 further recites that "the server includes a configuration to generate" this "ticket data" that was referenced in claim 17. The Applicant respectfully contends that these are not inconsistent limitations.

With respect to the second objection to claim 19, claim 17 recites "the ticket data including data corresponding to an image of a person" and places no limitation on the origin of "data corresponding to an image". Claim 19 recites that "the data corresponding to the image [is] supplied by the imaging device over the network", thereby indicating the origin of "the data corresponding to the image". Support for this position can be found in lines 2-3 of the originally filed claim 19. The Applicant respectfully contends that the claims 17 and claim 19 do not contain inconsistent limitations.

The Applicant believes that the Examiner's objections to claim 19 have been traversed. Accordingly, the Applicant respectfully requests withdrawal of the objections to claim 19.

Rejections of Claims 17-20 Under 35 U.S.C. § 103

The Examiner has rejected claims 1, 2, 4-7, and 9-26 under 35 U.S.C. § 103(a) as unpatentable over several of the cited references. The cancellation of claims 1, 2, 4-7, 13-16, and 21-26 renders the Examiner's rejections of these claims under 35 U.S.C. § 103(a) moot.

The Examiner has rejected claim 17 under 35 U.S.C. § 103(a) as unpatentable over United States patent number 5,748,755 issued to Johnson et al (hereinafter referred to as

S/N: 09/765,868
Case: 10004107-1
Amendment C

Johnson). The Examiner states, in reference to laser printer 48 disclosed in Johnson on page 12 (last sentence) and page 13 (first paragraph) that "Since the plant 46 receives the check data over the network, and the printer 48 is provided (in order to print the checks) with the check data that was received from the network, the printer 48 can be considered as network enabled/coupled to the network." While this may be an indirect connection, since the printer receives the data that was transmitted through the network, Johnson et al meets the limitations of "network enabled" and "coupled to the network". The applicant respectfully disagrees with this characterization of network enabled. However, to more particularly point out what the Applicant regards as his invention, the Applicant has amended claim 17 to include the limitation of "a network enabled imaging device **directly** coupled to the network". (emphasis added) The Applicant respectfully contends that Johnson does not teach or suggest the limitation of "a network enabled imaging device directly coupled to the network".

According to section 2143.03 of the MPEP, "[t]o establish prima facie obviousness of a claimed invention, **all** the claim limitations must be taught or suggested by the prior art." (emphasis added) Because Johnson does not teach or suggest all the limitations of the amended claim 17, a valid prima facie obviousness rejection of claim 17 is not present. Accordingly, the Applicant respectfully requests withdrawal of the rejection of claim 17 under 35 U.S.C. § 103(a).

According to section 2143.03 of the MPEP "[i]f an independent claim is non-obvious under 35 U.S.C. '103, then any claim depending therefrom is nonobvious." Because claims 18-20 depend, either directly or indirectly, upon claim 17, a valid prima facie obviousness rejection of claims 18-20 is not present. Accordingly, the Applicant respectfully requests withdrawal of the rejections of claim 18-20 under 35 U.S.C. § 103(a).

Rejections of Claims 9-12 Under 35 U.S.C. § 103

The Examiner has rejected claim 9 under 35 U.S.C. § 103(a) as unpatentable over United States patent number 5,598,477 issued to Berson (hereinafter referred to as Berson) and United states patent number 6,137,895 issued to Al-Sheikh (hereinafter referred to as Al-Sheikh). The Applicant has amended claim 9 to include the limitations of "sending data corresponding to an image of a person from a network enabled imaging device, **directly coupled to a network**, to a network enabled device using the network."

S/N: 09/765,868
Case: 10004107-1
Amendment C

(emphasis added). Figure 1 of Berson and column 3, lines 46-50 ("local printing system 20 may be an non-intelligent system communicating directly with data processing system 12-1. In still another embodiment local printing system 20 is a facsimile printer) do not teach or suggest the limitations of claim 9 of "sending data corresponding to an image of a person from a network enabled imaging device to a network enabled device using a network". (emphasis added). Rather, the cited section of Berson only teaches or suggests that the "ticket information" **returns** to "local printing system 20".

According to section 2143.03 of the MPEP, "[t]o establish prima facie obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art." (emphasis added). Furthermore, according to section 2143.03 of the MPEP "[i]f an independent claim is non-obvious under 35 U.S.C. § 103, then any claim depending therefrom is nonobvious." Therefore, because Berson does not teach or suggest all the limitations of claim 9, a valid prima facie obviousness rejection is not present. In addition, because claims 10-12 depend, either directly or indirectly, upon claim 9, a valid prima facie obviousness rejection of these claims does not exist. Accordingly, the Applicant respectfully requests withdrawal of the rejections of claims 9-12 under 35 U.S.C. § 103.

Amendment to Claim 18

The Applicant has amended claim 18 to overcome an antecedent basis problem.

Conclusion

The Applicant believes that the amendments to the application have placed it in a condition for allowance. Such action is respectfully requested.

Respectfully submitted,
(inventor's name)

FAX RECEIVED

By Gregg W. Winkler
(Attorney's Name)
Reg. No. 40,231

August 11, 2003 AUG 12 2003
(360)

TECHNOLOGY CENTER 2800

OFFICIAL

S/N: 09/765,868
Case: 10004107-1
Amendment C